

CITY OF NEWBERG CITY COUNCIL MINUTES
AUGUST 3, 2009
7:00 P.M. MEETING
PUBLIC SAFETY BUILDING TRAINING ROOM
401 EAST THIRD STREET

Work Session was held prior to the meeting. Presentations were given by the Yamhill County Committee on Children & Family on the 211 Referral Services and by the IT Department on the new website. No decisions were made.

I. CALL MEETING TO ORDER

Mayor Bob Andrews called the meeting to order at 7:05 PM.

II. ROLL CALL

Members

Present:	Mayor Bob Andrews	Denise Bacon	Bob Larson
	Stephen McKinney	Bart Rierson	Wade Witherspoon

Members

Absent: Marc Shelton (excused)

Staff

Present:	Daniel Danicic, City Manager	Terrence Mahr, City Attorney
	Barton Brierley, Planning and Building Director	Norma Alley, City Recorder
	Howard Hamilton, Public Works Director	Jennifer Nelson, Recording Secretary

Others

Present: David Dahle, John Trudel, and Keith Wingfield

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. CITY MANAGER'S REPORT

Mr. Daniel Danicic, City Manager, reported that monies requested for improvements to Sportsman Airpark did not fit into the Federal Aviation Administration (FAA) program because they deemed it was not integral to region; work will continue to get other funding. He also reported the next City/County Dinner will be hosted by the City of Yamhill, a community open house will be held at The Allison on August 28th in conjunction with a fundraiser for Newberg Friends in Service to Humanity (FISH), the City was unsuccessful in their grant request to the COPS program, an official dedication of the Newberg Water Reuse Facility will be conducted at the wastewater treatment plant on Wednesday, September 2, 2009 at 5:00 PM, and the Newberg Farmers' Market has closed; coordinators for the Dundee market will establish something in conjunction with Tunes on Tuesday.

V. COUNCIL APPOINTMENT

Consider a motion appointing members to the Animated Sign Ad-hoc Committee.

MOTION: Andrews/Larson to create and appoint members to the Animated Sign Ad-hoc Committee. (6 Yes/0 No/1 Absent [Shelton]) Motion carried.

VI. PUBLIC COMMENTS

Mr. David Dahle, Get Spotted Media, gave a short presentation to the Council concerning his efforts to video record Council meetings and his work in conjunction with mentoring local students to create a five minute web based video of the meetings to highlight important points to be viewed on demand.

VII. CONSENT CALENDAR

1. Consider a motion approving a proclamation declaring the week of August 16, 2009, as Newberg Firefighter Appreciation Week.
2. Consider a motion approving City Council Minutes for July 6, 2009.

MOTION: Larson/McKinney to approve the Consent Calendar including a proclamation declaring the week of August 16, 2009 as Newberg Firefighter Appreciation Week and the City Council Minutes for July 6, 2009. (6 Yes/0 No/1 Absent [Shelton]) Motion carried.

Mayor Andrews read the proclamation and presented it to members of the fire department.

VIII. NEW BUSINESS

Consider a motion approving **Resolution No. 2009-2861** authorizing the city manager to sign an intergovernmental agreement with Yamhill County for road improvements on Crestview Drive.

TIME – 7:22 PM

Mr. Terrence Mahr, City Attorney, presented the staff report (see official meeting packet for full report).

Mr. John Trudel, President of the Oxberg Lake Estates Homeowners' Association (HOA), mentioned an error in The Newberg Graphic article concerning the placement of the Crestview Drive extension; he said it is not adjacent to Oxberg Lakes, it goes through the middle. He congratulated the efforts of the Five Party Team and the precedence set by that group, spoke of best practices and staying alert to hostile bureaucracies and outside interests (see official meeting packet for full report).

Mayor Andrews asked about the deeds for dedicating the right of way and its impact.

Mr. Mahr explained there were agreements to hold those deeds in escrow to ensure the road was built correctly, and now those dedications will go on record.

Mr. Keith Wingfield added further explanation stating that home owners signed deed agreements to transfer rights of way to the County and all documents were signed to be held in escrow until the road was built this summer. When it became apparent that was not happening, it was noted that those transfers of right of way to the County were not properly recorded. It was decided to properly acquire the rights of ways, pay the homeowners, and record the transfers on the titles to the property.

Mayor Andrews asked about the pending approval of the Oxberg Lake HOA. Staff and Mr. Trudel ensured there was approval and there is a paper trail of emails and testimony to support their approval of the agreement. Mayor Andrews suggested adding to the resolves that the City Manager would report any amendments or alterations to Council if they occur.

MOTION: McKinney/Larson to amend and approve **Resolution No. 2009-2861** authorizing the city manager to sign an intergovernmental agreement with Yamhill County for road improvements on Crestview Drive with added language to have the City Manager report any changes thereafter to the Council.

Councilor Bart Rierson wondered if signatures from the HOA would be needed or if a legal precedence was being set for an intergovernmental agreement with a homeowners' association.

Mr. Mahr stated that they have an agreement with the County and the City is building the road for them; the County authorized the agreement and he felt comfortable with that and approved. He suggested putting another recital in resolution indicating a representative of the HOA appeared before the Council and consented in order to have it in the record.

MOTION: Rierson/Bacon to amend **Resolution No. 2009-2861** adding under recital two that "a representative of the Oxberg Lake Estates appeared before the Council and testified that Oxberg Lake Estates HOA had approved the intergovernmental agreement" and changing the original recital two to recital three. (6 Yes/0 No/1 Absent [Shelton]) Motion carried.

VOTE: To approve **Resolution No. 2009-2861** as amended. (6 Yes/0 No/1 Absent [Shelton]) Motion carried.

IX. COUNCIL BUSINESS

Discussion on Council Goals.

TIME – 7:46 PM

The Council reviewed, discussed, and prioritized the Council goals according a survey conducted (see official meeting packet for full report).

Mr. Danicic spoke about the Newberg High School Greenhouse program and their opportunity to purchase additional greenhouse with a request of the City to waive the estimated \$2,200 in permit fees associated with that.

Discussions followed as to the benefits received by the City from the efforts of the Greenhouse program and the required steps to make that waiver of fees official.

MOTION: Rierson/Larson to accept an application from Newberg High School to build a new greenhouse and waive the applicable building and planning fees. (6 Yes/0 No/1 Absent [Shelton]) Motion carried.

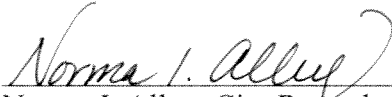
Mr. Mahr gave an update on the McClure annexation as the next ballot election for this matter would be in November and in order to be considered on that ballot, the Council would need to make that decision at the next Council meeting. The McClure's are not currently prepared to have it voted on at the November election as they are still working through the appeal process.

Mayor Andrews initiated a discussion on the idea of allowing the City Manger to make decisions concerning change orders to contracts with large projects that go over the 10% standard in an effort to not hold up large capital projects in order to receive Council approval. The pros and cons of this were discussed.

X. ADJOURNMENT

The meeting adjourned at 9:25 PM.

ADOPTED by the Newberg City Council this 8th day of September, 2009.



Norma I. Alley, City Recorder

ATTEST by the Mayor this 10th day of September, 2009.



Bob Larson, Council President